

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Nelson L. Bruce,)	Case No. 2:17-cv-2171-RMG-MGB
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Carrington Mortgage Services LLC,)	
)	
Defendant.)	
)	

Nelson L. Bruce (“Plaintiff”) has filed a civil action for alleged violation of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227. (DE# 1, Complaint). Plaintiff is a non-prisoner litigant is proceeding *pro se*. Pursuant to Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

TO PLAINTIFF:

This case is still not in proper form at this time.¹ If Plaintiff does not bring this case into proper form within the time permitted by this Order, this case may be dismissed for failure to prosecute and failure to comply with an order of this Court under Rule 41 of the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”).

Under General Order *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, No. 3:07-mc-5015-JFA (D.S.C. Sept. 18, 2007), the undersigned is giving Plaintiff **twenty-one (21)** days from the date this Order is entered, plus three (3) days for mail time, to:

¹ Despite two consecutive Proper Form Orders, Plaintiff has still not paid the filing fee, nor filed a fully completed AO Form 239. Plaintiff has not yet provided information that would be sufficient to enable this Court to determine whether Plaintiff is qualified to proceed IFP. As previously stated in the prior Proper Form Order, if Plaintiff will provide the requested information about his income and assets, then the Court can determine whether Plaintiff may proceed IFP, i.e. without paying the filing fee. Plaintiff is cautioned that if he does not comply with the Court’s Order, his case may be dismissed.

Supplement his motion to proceed IFP (DE# 3) with a fully completed Application to Proceed Without Prepaying Fees or Costs (**Form AO 239**). Plaintiff should fully answer all the questions on the **Form AO 239**, sign it, date it, and return the form to the Clerk of Court for filing. One (1) blank **Form AO 239** is attached for Plaintiff's convenience.

No process shall issue until the items specified above have been reviewed by the assigned United States Magistrate Judge.

Plaintiff must place the civil action number listed above (Case No. 2:17-cv-2171-RMG-MGB) on any document provided to the Court pursuant to this Order. **Any future filings in this case must be sent to the Clerk of Court, P.O. Box 835, Charleston, South Carolina 29402.** All documents requiring Plaintiff's signature shall be signed with Plaintiff's full legal name written in Plaintiff's own handwriting. *Pro se* litigants shall not use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this Court, Plaintiff is directed to use lettersized (8½ inches by 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper. Plaintiff is further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

Plaintiff is a *pro se* litigant. Plaintiff's attention is directed to the following **important notice:**

You are ordered to always keep the Clerk of Court advised **in writing (P.O. Box 835, Charleston, South Carolina 29402)** if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If, as a result of your failure to comply with this Order, you fail to meet a deadline set by this Court, **your case may be dismissed for violating this Order.** Therefore, if you have a change of address before this case is ended, you must comply with this Order by immediately advising the Clerk of Court in writing of such change of address and providing the Court with the docket number of all pending cases you have filed with this Court. Your failure to do so will not be excused by the Court.

TO THE CLERK OF COURT:

The Clerk of Court shall mail a copy of this Order and the proper form documents to Plaintiff. If Plaintiff fails to provide the items specified above to the Clerk of Court within the period prescribed in this Order, the Clerk of Court shall forward the file to the assigned United States Magistrate Judge for a recommendation as to whether to enter an order of dismissal. See *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, No. 3:07-mc-5015-JFA. If, however, Plaintiff provides this Court with the items specified above, the Clerk of Court should forward the file to the assigned United States Magistrate Judge to determine if service of process should be authorized.

The Clerk of Court shall not enter any change of address submitted by Plaintiff which directs that mail be sent to a person other than Plaintiff unless that person is an attorney admitted to practice before this Court who has entered a formal appearance.

IT IS SO ORDERED.



MARY GORDON BAKER
UNITED STATES MAGISTRATE JUDGE

November 14, 2017
Charleston, South Carolina

Petitioner's attention is directed to the **IMPORTANT NOTICE** on the following page:

**IMPORTANT INFORMATION—PLEASE READ CAREFULLY
WARNING TO PRO SE PARTY OR NONPARTY FILERS**

All documents that you file with the court will be available to the public on the internet through PACER (Public Access to Court Electronic Records) and the court's Electronic Case Filing System. **CERTAIN PERSONAL IDENTIFYING INFORMATION SHOULD NOT BE INCLUDED IN OR SHOULD BE REMOVED FROM ALL DOCUMENTS BEFORE YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING.**

Rule 5.2, Fed. R. Civ. P., provides for privacy protection of electronic or paper filings made with the court. Rule 5.2 applies to **ALL** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party or nonparty for filing. Unless otherwise ordered by the court, a party or nonparty filer should not put certain types of an individual's personal identifying information in documents submitted for filing to any United States District Court. If it is necessary to file a document that already contains personal identifying information, the personal identifying information should be "**blacked out**" or **redacted** prior to submitting the document to the Clerk of Court for filing. A person filing any document containing their own personal identifying information **waives** the protection of Rule 5.2(a) by filing the information without redaction and not under seal.

1. Personal information protected by Rule 5.2(a):

- (a) Social Security and Taxpayer identification numbers.** If an individual's social security number or a taxpayer identification number must be included in a document, the filer may include only the last four digits of that number.
- (b) Names of Minor Children.** If the involvement of a minor child must be mentioned, the filer may include only the initials of that child.
- (c) Dates of Birth.** If an individual's date of birth must be included in a document, the filer may include only the year of birth.
- (d) Financial Account Numbers.** If financial account numbers are relevant, the filer may include only the last four digits of these numbers.

2. Protection of other sensitive personal information – such as driver's license numbers and alien registration numbers – may be sought under Rule 5.2(d)(Filings Made Under Seal) and (e) (Protective Orders).